

JOE WARDY  
MAYOR



## CITY COUNCIL

SUSAN AUSTIN  
DISTRICT NO. 1

ROBERT A. CUSHING, JR.  
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO  
DISTRICT NO. 3

JOHN F. COOK  
DISTRICT NO. 4

VACANT  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

VIVIAN ROJAS  
DISTRICT NO. 7

ANTHONY W. COBOS  
DISTRICT NO. 8

REGULAR COUNCIL MEETING  
COUNCIL CHAMBERS  
SEPTEMBER 14, 2004  
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Joe Wardy present and presiding and the following Council Members answered roll call: Susan Austin, Robert A. Cushing, Jr., Jose Alexandro Lozano, and John F. Cook. Late arrivals: Paul J. Escobar at 9:09 a.m. and Vivian Rojas arrived at 9:56 a.m. Excused absence: Anthony W. Cobos. Meeting was called to order at 9:07 a.m. and the invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

.....  
**MAYOR'S PROCLAMATION**

***Texas Operation Lifesaver Railroad Safety Awareness Day***

.....  
**RECOGNITION AND AWARD PRESENTATION**

Recognition of Law Enforcement Explorer Teams, adult leaders, and EPPD staff from the Central, Mission Valley, and Pebble Hills Regional Command Centers on their receiving national law enforcement awards/commendations/recognition at the 14th Biennial National Law Enforcement Exploring Conference on July 19-24th, at the Georgia Institute of Technology in Atlanta, Ga. This is also a tribute to the great contribution of El Paso's youth to the City of El Paso, and for being recognized as the nation's finest in spirit and skills.

Police Chief Richard Wiles recognized members of the Law Enforcement Explorer Teams and presented the 1<sup>st</sup> place trophy for "Traffic Stops" to the Central Regional Command Explorers. He noted other awards received by the Pebble Hills and Mission Valley Regional Command Explorers at the 14<sup>th</sup> Biennial National Law Enforcement Exploring Conference. He recognized advisors, mentors, and sponsors of the El Paso Police Department Explorer program and Boy Scouts of America, Yucca Council, and thanked them for their assistance.

.....  
No action was taken on the following item: Political signs. [Anita Blair]

Ms. Anita Blair, citizen, spoke on many issues including, but not limited to, the importance of educated politicians, the public's scrutiny of politicians, and running for public office.

.....  
No action was taken on the following item: Assistance for V.F. Jeanswear laid off workers.  
[Guillermo Glenn – Border Workers Association]

Mr. Rigoberto Bustillo, V.F. Worker Committee, asked for the Council's assistance in finding jobs for laid off V.F. Jeanswear employees.

Mr. Guillermo Glenn, Border Workers Association, stated that during the last three years over 10,000 workers had lost their jobs in El Paso. He spoke on retraining opportunities currently offered to V.F. Jeanswear laid off workers; however, most workers are excluded due to the lack of their knowledge of and ability to speak English. He stressed the need for a bi-lingual development center that would connect non-English speaking workers to existing agencies that would provide employment opportunities. He referred to previous City Council meetings where he had requested that the Council form a committee that would address the needs of non-English speaking workers; however, that request has yet to come to fruition. He spoke on the availability of City and other agency monies for the Plaza Theatre, but that the City can not find money to retrain workers.

Mayor Joe Wardy stated for the record, that the Council and community was conscious of the impact the V.F. Jeanswear lay offs would create; however, the vehicle for job training and re-training was the Workforce Development Board. He spoke of the lawsuit filed against the Department of Labor by Mr. Glenn's organization, and others that has hampered cooperation efforts with the Department of Labor greatly.

Ms. Anita Blair, citizen, stated that Project Bravo provided English classes for non-English speaking individuals and she stressed the need for individuals to master the English language.

Mr. Luis Beltran, Army veteran, explained that one does not need to understand English to fire a rifle and operate a sewing machine.

At this time, Mayor Joe Wardy recognized Ms. Alejandrina Drew, former Director of the Arts and Culture Department, and wished her "Buenas Suerte" on her new job in Dallas, Texas.

Motion made by Representative Cushing, seconded by Representative Escobar and unanimously carried to recess the City Council Meeting to discuss the Mass Transit Board Meeting at 9:38 a.m.

Motion made by Representative Austin, seconded by Representative Cushing and unanimously carried to reconvene the City Council Meeting from the Mass Transit Board Meeting at 9:53 a.m.

Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.  
(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {\*}).

Representative Escobar was not present for the vote.

\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to approve the Minutes for Regular City Council Meeting of September 7, 2004 and Legislative Review Committee of the Whole Meeting of August 23, 2004.

Representative Escobar was not present for the vote.

\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to excuse absent Mayor Pro Tempore Anthony W. Cobos from the Regular City Council Meeting of September 14, 2004.

Representative Escobar was not present for the vote.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **OSCAR SEVILLA**, to assist the Arts and Culture Department at \$8.67 per hour, not to exceed 20 hours per week without permission from the Co-Op Coordinator, in which case student may work up to 40 hours per week. The term of the contract shall be for the period of September 15, 2004 through August 31, 2005.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Service Agreement between the City of El Paso and Eduardo Diaz, as the consultant to develop a strategic plan for the Arts and Culture Department, for a fee in the amount of \$20,000.00.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign the following contract on behalf of the Arts and Culture Department to be funded through the FY2005 El Paso Festivals and Cultural Events program of the Arts and Culture Department, as recommended by the Arts and Culture Advisory Board and Staff.

<b>ORGANIZATION</b>	<b>AMOUNT</b>
1. Theatre Inc./Outrageous Fortune Theatre Company	\$6,000.00

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign the following Agreements for the following artists to be accepted as part of the FY 2005 Arts in Education Program of the Arts and Culture Department as recommended by the Arts and Culture Department's Advisory Board and Staff:

1. George Adams
2. Terry Alvarez
3. Georgena Askew
4. Michael Calanche
5. Jena Camp
6. Layle Chambers
7. Sydney Dictor
8. Jan Wisbrun Dreher
9. El Paso Association for the Performing Arts
10. Pete Flores
11. John Galceran
12. Lorenzo Guel
13. Cuney Luke
14. Mahrla Manning
15. Robert Manning

16. Marcia McNamee
17. Tony Petry
18. Lorraine Alvarez Portilla
19. Dorothy Proffitt
20. Hector Serrano
21. Lisa Smith
22. Neal L. Smith
23. Theater, Inc.
24. Carol Tures
25. Colleen Wright

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign the following contracts on behalf of the Arts and Culture Department for the FY 2005 Art Windows of El Paso Visual Arts Series to be held at the El Paso International Airport, as recommended by the Arts and Culture Advisory Board and staff.

1. Elaine Johnson; cost of \$500.00 for exhibit during the period of November 1, 2004 through January 27, 2005.
2. Suzanne Kane; cost of \$500.00 for exhibit during the period of January 31, 2005 through April 28, 2005.
3. Jose Cisneros; cost of \$500.00 for exhibit during the period of May 2, 2005 through July 28, 2005.
4. Adair Margo; cost of \$500.00 for exhibit during the period of August 1, 2005 through October 27, 2005.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign the following contracts on behalf of the Arts and Culture Department for the FY05 Discovery Series, to be held at the Chamizal National Memorial, as recommended by the Arts & Culture Department's Advisory Board and staff.

1. ICM Artists, Ltd. for Alvin Ailey II; one performance Saturday, February 12, 2005; cost of \$15,500.
2. Rena Shagan Associates, Inc. for Susan Marshall & Company; one performance Saturday, February 19, 2005; cost of \$20,000.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign the following contract on behalf of the Arts and Culture Department to present the following group at the FY05 World On A String International Guitar Festival, to be held at the Chamizal National Memorial, as recommended by the Arts & Culture Department's Advisory Board and staff.

1. ICM Artists, Ltd. for Eliot Fisk & Paco Pena; one performance on Sunday, April 17, 2005; cost of \$12,500.

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following contracts on behalf of the Arts and Culture Department to present the following groups at the FY05 Music Under the Stars World Festival, to be held at the Chamizal National Memorial, as recommended by the Arts & Culture Department's Advisory Board and staff.

1. Folklore Productions for Balfa Tujours; one performance Sunday, June 5, 2005; cost of \$7,500.
2. Avelardo Chavez for Windy City; one performance Sunday, June 12, 2005; cost of \$800.
3. Fernando Lechuga for Azucar; one performance on Sunday, June 19, 2005; cost of \$800.
4. Folklore Productions for Dirk Powell Band; one performance on Sunday, June 26, 2005; cost of \$7,500.
5. Eye for Talent for Chuchumbe; one performance on Sunday, July 17, 2005; cost of \$10,000.
6. Marcos Casiano for Kactus Jazz; one performance on Sunday, July 24, 2005; cost of \$600.
7. Folklore Productions for Dervish; one performance on Sunday, July 31, 2005; cost of \$10,000.
8. Raymundo Villaneda for Star City Band; one performance on Sunday, August 7, 2005; cost of \$800.
9. Hal Ector for Taumbu; one performance on Sunday, August 14, 2005; cost of \$7,000.
10. El Paso Symphony Orchestra; one performance on Sunday, August 28, 2005; cost of \$15,000.

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following contracts on behalf of the Arts and Culture Department to present the following artists for the FY05 People's Gallery Visual Arts Series to be held on the first floor of City Hall, as recommended by the Arts & Culture Advisory Board and staff.

1. Paul Huereque; cost of \$500.00 for the exhibition during November 3, 2004 through January 28, 2005.
2. Norman Wood; cost of \$250.00 for the exhibition during November 3, 2004 through January 28, 2005.
3. Ho Baron; cost of \$300 for the exhibition during November 3, 2004 through January 28, 2005.
4. James Dixon; cost of \$300 for the exhibition during February 2, 2005 through April 29, 2005.
5. Oween Rath; cost of \$300 for the exhibition during February 2, 2005 through April 29, 2005.
6. Socorro Q. Diamondstein; cost of \$300 for the exhibition during February 2, 2005 through April 29, 2005.
7. Creative Kids, Inc.; cost of \$500 for the exhibition during May 4, 2005 through July 20, 2005.
8. Marcos Casiano; cost of \$300 for the exhibition during August 3, 2005 through October 28, 2005.
9. Gregory Davis; cost of \$300 for the exhibition during August 3, 2005 through October 28, 2005.

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following contracts on behalf of the Arts and Culture Department to present the following groups at the FY05 Young At Arts Series, to be held at the Chamizal National Memorial, as recommended by the Arts & Culture Department's Advisory Board and staff.

1. Missoula Children's Theater, Inc.; two performances on Saturday, January 15, 2005; cost of \$3,500.
2. Tears of Joy Theater; two performances on Saturday, January 22, 2005; cost of \$4,500.
3. Michael Cooper; two performances on Saturday, January 29, 2005; cost of \$4,100.

Representative Escobar was not present for the vote.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Nine Hundred Forty Three and 41/100 Dollars (\$943.41).

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the following project be designated for funding as a Community Housing Development Organization (CHDO) activity under the City's Fiscal Year 2003 HOME Grant Program:

YWCA Community Development Corporation – YWCA Senior Housing  
Acquisition and Construction - \$722,000.00

That the Mayor, on behalf of the City, be authorized to sign a CHDO-Home Financial Terms Contract by and between the City, and YWCA Community Development Corporation, a Community Housing Development Organization (CHDO) under the HOME Program, in the amount of \$722,000.00; and

That the Mayor, be authorized to sign a Builder's and Mechanic's Lien Contract and Deed of Trust (With Power Of Sale) by and between the City, YWCA Community Development Corporation, and the selected construction contractor, upon the recommendation of the Director of the Department of Community and Human Development, and the approval of the City Attorney's Office.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **LARRY E. ROMERO**, to assist the Economic Development Department as a Business Retention and Expansion Manager at a biweekly rate of \$2,115.38 for 40 hours per week. The term of the contract shall be for the period of September 14, 2004 through December 13, 2004.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the El Paso Museum of Art be authorized to accept a check for \$8,300 from the Target Corporation to be used for education programs including: Family Day, Neighborhood Kids, and Fall and Spring Teacher Newsletters.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Director of the El Paso Museum of Art be authorized to accept, on behalf of the City of El Paso, the following gift offered:

One (1) wood sculpture by **Suzanne Klotz**, ***La Migra***, 2003, 88" x 37" x 21", offered by the Artist.

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director or Registrar of the El Paso Museum of Art be authorized to sign an Incoming Loan Agreement for a one year loan, and possible future gift, of two (2) paintings, each oil on canvas, by artist Henriette Wyeth, "**Peter Wyeth Hurd**", 31" x 26", valued at \$65,000.00 and "**Black Boy**", 48" x 48", valued at \$145,000.00. Loan period is from September, 2004 through September, 2005. There are no costs attached to this loan.

NOTE: Resolution was revised from \$145,00.00" to "\$145,000.00".

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and the following individuals to teach art classes and/or adult studio classes at the Museum of Art, from September 15, 2004 through December 31, 2004.

1. **WENDY BURTZ**, \$20.00 hourly rate, not to exceed 5 hours per week.
2. **MILES DOYLE**, \$20.00 hourly rate, not to exceed 5 hours per week.
3. **RONALD P. FRITSCH**, \$20.00 hourly rate, not to exceed 5 hours per week.
4. **MARTHA A. GARCIA**, \$20.00 hourly rate, not to exceed 5 hours per week.
5. **ROSIE JONES**, \$20.00 hourly rate, not to exceed 5 hours per week.
6. **SUSAN LIGHT**, \$20.00 hourly rate, not to exceed 5 hours per week.
7. **MARIE LIVINGSTON**, \$20.00 hourly rate, not to exceed 5 hours per week.
8. **MARY LONG**, \$20.00 hourly rate, not to exceed 7 hours per week.
9. **JACQUE PARKS-MAPES**, \$20.00 hourly rate, not to exceed 5 hours per week.
10. **MITSU OVERSTREET**, \$20.00 hourly rate, not to exceed 5 hours per week.
11. **MARY ALICE PAYAN-HEIM**, \$20.00 hourly rate, not to exceed 5 hours per week.
12. **GEORGE RODRIGUEZ**, \$20.00 hourly rate, not to exceed 5 hours per week.
13. **JANINE RUDNICK**, \$20.00 hourly rate, not to exceed 5 hours per week.
14. **TRACY SPEAKER**, \$20.00 hourly rate, not to exceed 7 hours per week.
15. **MIGUEL VALENZUELA**, \$20.00 hourly rate, not to exceed 5 hours per week.

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and the following individuals to teach for the Neighborhood Kids Program at the Museum of Art, from September 15, 2004 through May 31, 2005.

1. **MARIE LIVINGSTON**, \$20.00 hourly rate, not to exceed 20 hours per week and a maximum amount of \$2,250.00.
2. **ALICE A. PARRA**, \$20.00 hourly rate, not to exceed 20 hours per week and a maximum amount of \$2,800.00.
3. **NORMA NAJERA-MACIAS**, \$20.00, not to exceed 20 hours per week and a maximum of \$2,800.00.

NOTE: Resolution was revised.



**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Agreement for Engineering Services by and between the **CITY OF EL PASO** and **RBM ENGINEERING, INC.**, for a project known as **"Airway Pump Station"**, in an amount not to exceed TEN THOUSAND NINE HUNDRED NINETY-THREE and 65/100 DOLLARS (\$10,993.65)

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an agreement between the **CITY OF EL PASO** and the **TEXAS DEPARTMENT OF PUBLIC SAFETY** for the acquisition of motor vehicle records pursuant to the Motor Vehicle Records Disclosure Act.

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the Mayor be authorized to sign a Professional Services Agreement between the City of El Paso and Larson Dodd Stewart & Myrick, LLC.

Mayor Joe Wardy introduced Mr. Quinn Dodd, Principal, Larson Dodd Stewart & Myrick, LLC.

Mr. Dodd thanked the Council for the opportunity in representing El Paso in Washington, D.C., for the past two years and enumerated the amount of federal monies appropriated for FY05 for El Paso such as the Sun Metro bus modernization funds, the regional laboratory, the expansion of the interoperable communications system for State and local emergency response personnel, additionally addressing blackout spots around the Franklin Mountains, and the pursuit of full funding of the construction of a Federal Courthouse. He spoke on past successful federal funding acquisitions for the Plaza Theatre and the expansion of the City-County Public Health facility.

Representative Austin asked that the City Council concentrate on developing federal policy for the future, now that the City Manager will free them to focus on policy issues.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **GERARDO VELAZQUEZ**, to assist the Parks and Recreation Department as a Project Review Coordinator at a biweekly rate of \$1,700.00. The term of the contract shall be for the period of September 20, 2004 through September 19, 2005.

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year 2004/2005 appropriations to be approved by the City Council.

**FR. MARTINEZ SENIOR CENTER**

**DEPARTMENT ID: 51510160, ACCOUNT 502214**

1. CONTRACTOR: Veronica Luevanos, Coordinator/Instructor for various classes  
DATES: September 15, 2004 through August 31, 2005  
RATE PER CL: \$6.00  
MAXIMUM AMT: \$3,168.00  
CONTRACT: 2004/2005-080

**MULTI-PURPOSE CENTER**

**DEPARTMENT ID: 51510032, ACCOUNT 502214**

2. CONTRACTOR: Midnight Productions, Sound System for CDBG Dances  
DATES: September 15, 2004 through August 31, 2005  
RATE PER CL: \$50.00  
MAXIMUM AMT: \$1500.00  
CONTRACT: 2004/2005-081

**PAVO REAL REACREATION CENTER**

**DEPARTMENT ID: 51510115, ACCOUNT 502214**

3. CONTRACTOR: Elena Baker, Ballet Instructor  
DATES: September 15, 2004 through August 31, 2005  
RATE PER CL: \$11.00  
MAXIMUM AMT: \$1144.00  
CONTRACT: 2004/2005-082

.....  
**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following **EMPLOYEE CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2004/2005** appropriations to be approved by the City Council.

**AQUATICS**

**DEPARTMENT ID: 51010281, ACCOUNT 501011**

1. CONTRACTOR: Omar Alba, Senior Lifeguard, Step 1  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$6.60  
CONTRACT NO: **2004/2005-111**

2. CONTRACTOR: Raymundo Arango, Swim Instructor, Step 2  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$5.50  
CONTRACT NO: **2004/2005-112**
3. CONTRACTOR: Adrian Diaz, Pool Attendant, Step 1  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$6.00  
CONTRACT NO: **2004/2005-113**
4. CONTRACTOR: Jason Martinez, Lifeguard, Step 3  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$6.20  
CONTRACT NO: **2004/2005-114**
5. CONTRACTOR: Rosanne Martinez, Lifeguard, Step 2  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$6.00  
CONTRACT NO: **2004/2005-115**
6. CONTRACTOR: Blanca Y. Mendoza, Pool Attendant, Step 2  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$5.60  
CONTRACT NO: **2004/2005-116**
7. CONTRACTOR: Valerie Monsisvais, Lifeguard, Step 3  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$6.20  
CONTRACT NO: **2004/2005-117**
8. CONTRACTOR: Holly Monteiro, Swim Instructor, Step 1  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$5.35  
CONTRACT NO: **2004/2005-118**
9. CONTRACTOR: Dianne Moore, Swim Instructor Coordinator, Step 1  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$6.50  
CONTRACT NO: **2004/2005-119**
10. CONTRACTOR: Cindi Moreno, Swim Instructor, Step 2  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$5.50  
CONTRACT NO: **2004/2005-120**
11. CONTRACTOR: Angel Munoz, Lifeguard, Step 4  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$6.40  
CONTRACT NO: **2004/2005-121**
12. CONTRACTOR: Laura Munoz, Swim Instructor, Step 1  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$5.35  
CONTRACT NO: **2004/2005-122**

13. CONTRACTOR: Naomi Nieto, Lifeguard, Step 4  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$6.40  
CONTRACT NO: **2004/2005-123**
14. CONTRACTOR: Michael Ontiveros, Lifeguard, Step 3  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$6.20  
CONTRACT NO: **2004/2005-124**
15. CONTRACTOR: Maria L. Ortiz, Pool Attendant, Step 3  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$5.80  
CONTRACT NO: **2004/2005-125**
16. CONTRACTOR: Sofia Otero, Lifeguard, Step 2  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$6.00  
CONTRACT NO: **2004/2005-126**
17. CONTRACTOR: Caroline Parris, Lifeguard, Step 2  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$6.00  
CONTRACT NO: **2004/2005-127**
18. CONTRACTOR: Sonai Perez, Pool Attendant, Step 2  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$5.60  
CONTRACT NO: **2004/2005-128**
19. CONTRACTOR: Ryan Quagliato, Lifeguard, Step 4  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$6.40  
CONTRACT NO: **2004/2005-129**
20. CONTRACTOR: Benjamin Ramirez, Pool Attendant, Step 3  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$5.80  
CONTRACT NO: **2004/2005-130**
21. CONTRACTOR: Perla A. Retana, Pool Attendant, Step 2  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$5.60  
CONTRACT NO: **2004/2005-131**
22. CONTRACTOR: Elma Rivas, Lifeguard, Step 2  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$6.00  
CONTRACT NO: **2004/2005-132**

23. CONTRACTOR: Edgard Rodriguez, Swim Instructor, Step 2  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$5.50  
CONTRACT NO: **2004/2005-133**
24. CONTRACTOR: Pedro Rodriguez, Swim Instructor, Step 1  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$5.35  
CONTRACT NO: **2004/2005-134**
25. CONTRACTOR: Diana Rosales, Pool Attendant, Step 1  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$5.40  
CONTRACT NO: **2004/2005-135**
26. CONTRACTOR: Beltsabe Schroder, Pool Attendant, Step 4  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$6.00  
CONTRACT NO: **2004/2005-136**
27. CONTRACTOR: Nicole M. Stewart, Lifeguard, Step 2  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$6.00  
CONTRACT NO: **2004/2005-137**
28. CONTRACTOR: Crystal M. Torres, Pool Attendant, Step 3  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$5.80  
CONTRACT NO: **2004/2005-138**
29. CONTRACTOR: Michael Torres, Swim Instructor, Step 1  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$5.35  
CONTRACT NO: **2004/2005-139**
30. CONTRACTOR: Omar Torres, Lifeguard, Step 3  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$6.20  
CONTRACT NO: **2004/2005-140**
31. CONTRACTOR: Samantha Trevizo, Swim Instructor, Step 1  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$5.35  
CONTRACT NO: **2004/2005-141**
32. CONTRACTOR: Angelica Vasquez, Pool Attendant, Step 1  
DATES: October 01, 2004 through September 30, 2005  
RATE PER HR: \$5.40  
CONTRACT NO: **2004/2005-142**
- .....

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a First Amendment to Agreement for Architectural Services by and between the **CITY OF EL PASO** and **PARKHILL SMITH AND COOPER, INC.**, for a project known as **“Northeast Regional Park—Design and Construction Phase”**, in an amount not to exceed THIRTY-EIGHT THOUSAND SEVEN HUNDRED NINETY-NINE and NO/100 DOLLARS (\$38,799.00). The City Manager hereby authorized to execute any necessary budget transfers to accomplish the intent of this Resolution.

**\*RESOLUTION**

**WHEREAS**, the Department of Planning, Research, and Development and the Geographic Information System (GIS) Division of Information Technology have worked closely together to develop computer generated maps for the City of El Paso; and

**WHEREAS**, the City of El Paso completed its first computerized land use map in the year 2000; and

**WHEREAS**, there exists a continual need to update and maintain a current City of El Paso land use database in order to assist city staff, elected and appointed officials in making informed decisions regarding land development issues; and

**WHEREAS**, ESRI, a world leader in GIS software, and Trimble, a world leader in global positioning systems (GPS), are requesting applications for demonstration projects for government mobility; and

**WHEREAS**, the program goal is to foster innovative approaches to solving government problems through combined use of GIS and GPS technology; and

**WHEREAS**, it is hoped that the result of the project is demonstrated increased efficiency in collecting data for decision support and increased productivity in delivering governmental services to include a significant increase in efficiency and accuracy of land use management throughout the City;

**WHEREAS**, the ESRI and Trimble software, hardware, and training grants totaling \$85,000 will be awarded to 10 state, regional, or local governments within the United States; and

**WHEREAS**, the program provides an opportunity to create innovative solutions to current efficiency problems while working with the aide of GIS and GPS industry experts and will provide opportunity for a dramatic, substantive, and beneficial change in the City's governmental operations; and

**WHEREAS**, no match is required,

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That the El Paso City Council authorize the Mayor to sign a letter of transmittal to ESRI and Trimble for a government mobility demonstration program grant: planning addition;
2. That the Director of Planning, Research, & Development and the Director of Information Technology be authorized to further complete any necessary paperwork to obtain the proposed grant;

3. That, should the City of El Paso obtain the grant, it agrees to become a reference site for ESRI and Trimble, agrees to allow "City of El Paso" to appear in ESRI and Trimble press releases and educational marketing campaigns.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **NORMA P. BECERRA**, to assist the Police Department as a Victim Services Response Team Case Manager, at an hourly rate of \$12.50, for 40 hours per week. The term of the contract shall be for the period of September 15, 2004 through August 31, 2005.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **MARGARET PETROZZA-MERAZ**, to assist the Police Department as a Safe Communities Coordinator at a biweekly rate of \$1,436.73 for 40 hours per week. The term of the contract shall be for the period of October 1, 2004 through September 30, 2005.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Texas Highway Traffic Safety Program Grant Agreement, including all necessary documents, letters, understandings and assurances contained therein, and accept a grant in the amount of \$119,011 from the Texas Department of Transportation, for a Safe Communities project to educate the public in an effort to curb attitudes and perceptions regarding traffic incidents and fatalities by evaluating local crash information and to conduct pedestrian safety and occupant protection education and enforcement; that the Chief of Police be authorized to sign and submit any necessary revisions to the operational plan; that the grant officials be as designated in the agreement; and that the Mayor be authorized to execute on behalf of the City of El Paso, any grant amendments or corrections to the initial Grant Agreement which increase, decrease or deobligate program funds provided that no additional City funds are required, or which decrease the amount of matching funds, and any documents to request and accept an extension of the award ending date for the grant. In kind match required in the amount of \$76,555. A cash match is required in the amount of \$20,853, which will be paid from Confiscated Funds account number 21150060-16371-500231-506000-21000.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That, City Council adopt the policies and priorities for the 31st Year (2005-2006) Community Development Block Grant (CDBG) Program and for the Fiscal Year 2005 Emergency Shelter Grant (ESG) Program; that City Council establish November 19, 2004 as the deadline for the submission of all CDBG Social Service application packets, ESG application packets, City Representative requests, and all neighborhood association and citizen request forms; and that City Council establish January 7, 2005 as the final deadline for the submission of 31st Year CDBG Housing, Economic Development, Public Facilities and City Department application packets.

\*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 12<sup>th</sup> day of October, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 1105 Loma Verde Drive, in El Paso, Texas, which property is more particularly described as:

Tract: 2U, O. A. Danielson Survey No. 312 ABST 10028, an Addition to the City of El Paso,  
El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Lawrence W. & Catherine J. Few, 1105 Loma Verde Drive, El Paso, Texas 79936, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owner's lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.



Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5<sup>th</sup> floor, City Hall, no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to approve the following provisional appointment in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

Printing Supervisor (1)

Representative Escobar was not present for the vote.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to re-appoint Bob Soltis to the El Paso County 911 District Board of Managers by Mayor Joe Wardy.

Representative Escobar was not present for the vote.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to re-appoint Jim Curry to the El Paso County 911 District Board of Managers by Mayor Joe Wardy.

Representative Escobar was not present for the vote.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried that the following tax refunds be approved:

- A. Washington Mutual Home Loans, Inc. in the amount of \$4,624.44 overpayment of 2003 taxes.  
(PID #C340-999-0900-5300)
- B. Sierra Title Company in the amount of \$3,276.03 overpayment of 2002 taxes.  
(PID #H788-011-0120-0400)
- C. Chase Manhattan Mortgage in the amount of \$10,396.82 overpayment of 2003 taxes.  
(PID #L790-000-0020-0100)
- D. Wells Fargo Home Mortgage in the amount of \$2,632.74 overpayment of 2003 taxes.  
(PID #M344-999-0250-1700)
- E. Washington Mutual in the amount of \$2,956.21 overpayment of 2003 taxes.  
(PID #V894-999-022A-0900)
- F. Indymac Bank in the amount of \$3,271.14 overpayment of 2003 taxes.  
(PID #V897-999-1060-3600)
- G. First American Tax Service in the amount of \$8,655.09 overpayment of 2002 taxes.  
(PID #X312-999-0000-0100)
- H. Chase Manhattan Mortgage Corp. in the amount of \$8,336.88 overpayment of 2003 taxes.  
(PID #X579-999-2440-0300)

Representative Escobar was not present for the vote.

\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to postpone one (1) week the request to allocate \$1,000 of District 1 Discretionary Funds to Rotary Projects for the purpose of building a botanical garden at Keystone Heritage Park.

Representative Escobar was not present for the vote.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to approve the request authorizing to allocate Two Thousand Dollars (\$2,000.00) from District VII Discretionary Funds to the El Paso Fire Combat Challenge Team, to help with transportation costs to compete in the Fire Fighters Combat Challenge events. Representative Rojas has met Representative Cook's challenge.

Representative Escobar was not present for the vote.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to award Bid No. 2004-237 Perkins Proprietary Parts & Service-Rebid

Award to:	G.O.T. Supply, Inc. El Paso, Texas
Item (s):	#A-1 (all)
Amount:	\$25,000.00 (estimated annually)
Department:	Fleet Service
Funds available:	37370510-503121-45202
Funding source:	Fleet Service Internal Service Fund
Total award:	\$75,000.00 (estimated)

The Fleet Service and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

Representative Escobar was not present for the vote.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to award Bid No. 2004-238 Auto Parts Price List-Hardware & Fasteners (Rebid)

Award to:	El Paso Bolt & Screw Co., Inc. El Paso, Texas
Item (s):	#1 & 1A (all)
Amount:	\$30,000.00 (estimated annually)
Department:	Fleet Service
Funds available:	37370510-503121-45202
Funding source:	Fleet Service Internal Service Fund
Total award:	\$90,000.00 (estimated)

The Fleet Service and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Lower bid vendor offered slightly lower prices but was considered non responsive because they did not meet specifications on delivery times as required on the bid.

Vendor offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if option is exercised within one (1) year from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

Representative Escobar was not present for the vote.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to award Bid No. 2004-249 Hydraulic Cylinder Repack/Rebuild & Hydraulic System Components Repair

Award to: J & S Fluid Power of El Paso, Inc.  
El Paso, Texas  
Item (s): Part A #1, #2, #3 & #4, Part B (all)  
Amount: \$40,000.00 (estimated annually)  
  
Department: Fleet Service  
Funds available: 37370510-503121-503125-45202  
Funding source: Fleet Service Internal Service Fund  
Total award: \$120,000.00 (estimated)

The Fleet Service and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

Vendor also offers the City a prompt payment discount of 1% 10 days.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

Representative Escobar was not present for the vote.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin unanimously carried to approve budget transfer BT2004-1185 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate the TxDOT portion of the budget for San Antonio Plaza (Magoffin Reconstruct from San Antonio to Virginia) project. Funding source is reimbursed expenditures from TxDOT.

Increase	\$434,250	to	31255002/PPW003500727705/405067	ReimbExp
Increase	\$434,250	to	31255002/PPW003500727705/508027	Construction

Representative Escobar was not present for the vote.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to approve the request of Special Olympics Texas to hold a race on October 10, 2004 from 7:00 a.m. to 12:00 p.m. Route: Start on Stanton and Madeline Dr., proceed on Madeline Dr. to Coffin Ave., turn right on Coffin Ave., to Robinson Ave., proceed on Robinson Ave. to Scenic Dr., turn right on Scenic Dr. to Rim Rd., turn right on Rim Rd to Kerbey Ave., proceed on Kerbey to Kansas St., turn right on Kansas to Robinson Ave., turn right on Robinson Ave. to Coffin Ave., turn left on Coffin Ave. to Madeline Dr., turn left on

Madeline and finish at Stanton and Madeline Dr. Approximately 100 persons will take part and 100 spectators are anticipated. This request includes permission to use amplification (1 megaphone). PERMIT# 04-092 [Ralph Rodriguez/Officer J.P. Pennington]

Representative Escobar was not present for the vote.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to approve the request of Eastwood High School to hold a homecoming parade on September 23, 2004 from 6:00 p.m. to 7:30 p.m. Route: Start at the Great American Restaurant on Montwood Shopping Center to Yarbrough, turn left on Yarbrough to Montwood, turn right on Montwood to Linum, turn left on Linum to Eastside High School, and finish at the school stadium. Approximately 500 persons, 30 vehicles, 5 animals, and 5 floats will take part. This request includes permission to use amplification (music on the floats, school band). PERMIT# 04-095 [Deby Lewis]

Representative Escobar was not present for the vote.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to approve the request of Sandra Chavez to block off 3000 block of Woodall St. between Blackwood and Suewood on September 18, 2004 from 5:00 p.m. to midnight for a block party. Approximately 50 persons will take part and 50 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (2 speakers). PERMIT# 04-099 [Sandra Chavez]

Representative Escobar was not present for the vote.

.....  
Motion made by Representative Lozano, seconded by Representative Austin and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Title 18, (Building and Construction), Chapter 18.16 (Electrical Code) of the El Paso City Code to adopt the 2002 edition of the National Electrical Code with changes appropriate for the City of El Paso. The penalty being as provided in Section 18.02.107 of the El Paso City Code.
- B. An ordinance granting a special privilege to Barbara Enttinger permitting the encroachment of a canopy along a portion of public right-of-way at 300 South El Paso Street #D.
- C. An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times On Certain Streets) To Add New Locations on The South Side of Alto Rey Drive from Resler Drive to a Point 100 Feet East, on the North Side of Alto Rey Drive from Resler Drive to a Point 125 feet East, and on Alto Rey Drive From Resler Drive to a Point 115 Feet West, both sides. The Penalty Being as Provided in Section 12.84.010 of the El Paso Municipal Code.
- D. An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso Municipal Code, to Add a Subsection Identifying the Speed Limit as Forty Miles Per Hour on Henry Brennan Drive From Zaragoza Road (FM 659) to Gateway Boulevard West. The Penalty is Provided in Section 12.84.010 of The El Paso Municipal Code.
- E. An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso Municipal Code, to Add a Subsection Identifying the Speed Limit as Fifty Miles Per Hour on Global Reach Drive. The Penalty is as Provided in Section 12.84.010 Of the El Paso Municipal Code.

**PUBLIC HEARING WILL BE HELD ON SEPTEMBER 28, 2004 FOR ITEMS A – E**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

.....  
Item: Discussion and action on health, safety, welfare, environmental, engineering and BP&I enforcement issues regarding 131 South Yarbrough Dr., Tract 23B, Block 29, Ysleta Grant and Tract 8H, Block 33, Ysleta Grant, El Paso, El Paso County, Texas.

Motion made by Representative Rojas and seconded by Representative Cook to direct staff to look at the possibility of rescinding the current zoning of 131 South Yarbrough Dr., Tract 23B, Block 29, Ysleta Grant and Tract 8H, Block 33, Ysleta Grant, El Paso, El Paso County, Texas under Ordinance 014916.

AYES: Representatives Austin, Cook and Rojas  
NAYS: Representatives Cushing, Lozano, Escobar and Mayor Wardy

Mayor Wardy voted NAY to break the tie. **The motion failed.**

Representative Rojas explained that new developments regarding the property located at 131 S. Yarbrough had occurred as of last Saturday. She requested that the property owner take corrective measures with regard to the irrigation ditch, rock wall, etc., and that he cooperate with the neighbors; however, the property owner has not complied with her requests. She commented on the history of the zoning case for Council's information. She later made a motion to direct staff to rescind the zoning ordinance for the property.

Mayor Joe Wardy made remarks regarding the enforcement of City ordinances by the Building Permits and Inspections Department. He commented on the Building Permits and Inspections Department's need to enforce the applicable laws pertaining to the property. He commented on the number of chances the property owner has had to comply with the law. He asked that Representative Rojas take her concerns about the department's enforcement efforts to the City Manager. He stated that as Presiding Officer he was deciding that no action would be taken today regarding the zoning.

Representative Rojas responded that she did not want to have to monitor the enforcement efforts of Building Permits and Inspections but that only when she becomes involved is action taken. She stated she would continue to bring the matter back on the City Council agenda until the property owner is required to comply with the law.

Representatives Lozano, Austin, Cushing, Escobar, and Cook made comments and/or asked questions of City staff.

Mr. Jim Martinez, Chief Administrative Officer, stated Mr. Thomas Maguire, Building Permits and Inspections, would address issues pertaining to the property. He asked Mr. Shubert to address Representative Rojas' statement whereas the Building Permits and Inspections Department had failed to take enforcement action at that site until her item was placed on the agenda for discussion and action.

Mr. Alan Shubert, Director of Building Permits and Inspections, explained C-3 zoning requirements addressing screening walls and provided information with regard to the time frame and the rock wall since 2001. He read into the record a history of events pertaining to the property and corrective actions the Building Permits and Inspections Department has required of the property owner.



Ms. Patricia Aduato, Deputy CAO for Building and Planning Services, provided additional information with regard to the 2000 Quality of Life projects and contingency monies.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to postpone two (2) weeks the discussion and action on a Resolution that the City accepts the dedication of a Street Right-of-Way located within a portion of Tract 1A, Block 11, Upper Valley Surveys (the extension of Gomez Road to serve Valley Creek Park), City of El Paso, El Paso County, Texas, and being more fully described by metes and bounds in the attached Exhibit "A" from Frontera Vista L.P., a Texas Limited Partnership.

Representative Escobar was not present for the vote.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to postpone four (4) weeks the public hearing to determine if the property located at 11661 Norman Montion Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated February 25<sup>th</sup>, 2004. The owner of record as of March 23<sup>rd</sup>, 2004, Ida M. Poole, 11661 Norman Montion Drive, El Paso, Texas 79936, has been notified of the violations at this property. Delinquent taxes in the amount of \$9,754.07.

Representative Escobar was not present for the vote.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to postpone one (1) week the Resolution approving Detailed Site Development Plan No. ZON04-00070, for Tract 23 B, Block 29, Ysleta Grant and Tract 8H, Block 33, Ysleta Grant, El Paso, El Paso County, Texas (131 South Yarbrough Dr.) pursuant to zoning conditions as imposed by Ordinance No. 014916. The Penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Ricardo Olague.

Representative Escobar was not present for the vote.

Mr. George G. Sarmiento, Director of Planning, Research and Development, explained that the applicant requested the item be postponed one week due to pending issues regarding the site development plan.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to postpone two (2) weeks an Ordinance changing the zoning of Tract 4B, Block 29, Ysleta Grant, El Paso, El Paso County, Texas (220 Lafayette Drive) and all of Lot 3, Block 1, White Oaks Subdivision from R-F (Ranch/Farm) TO R-3 (Residential). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Jose Chavez. ZON04-00080.

Representative Escobar was not present for the vote.

.....  
Motion made by Representative Escobar, seconded by Representative Rojas and unanimously carried to postpone one (1) week an Ordinance changing the zoning of Parcel 1: Tract 16E, 16E2, 16H2 and a portion of Tract 16H, George L. Wilson Survey No. 91, El Paso, El Paso County, Texas from R-5 (Residential) to C-4 (Commercial); and Parcel 2: Tract 16A and a portion of Tract 16H, George L. Wilson Survey No. 91, El Paso, El Paso County, Texas from R-5 (Residential) to C-2 (Commercial) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Arturo Munoz. ZON04-00081.

**ORDINANCE 15892**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF PARCEL 1: A PORTION OF TRACT 1F, BLOCK 80, SECTION 41, TOWNSHIP 1, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM M-1/SC (LIGHT MANUFACTURING/SPECIAL CONTRACT) TO A-2/SC (APARTMENT/SPECIAL CONTRACT); AND PARCEL 2: A PORTION OF TRACT 1F, BLOCK 80, SECTION 41, TOWNSHIP 1, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM M-1/SC (LIGHT MANUFACTURING/SPECIAL CONTRACT) TO C-3/SC (COMMERCIAL/SPECIAL CONTRACT) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, gave a Powerpoint presentation and noted that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) had recommended approval. He added that there was no opposition to the zoning change request and answered questions from and responded to comments made by the Council Members. He answered questions from and responded to comments made by the Council Members.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cook, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Escobar and Rojas  
NAYS: None Absent: Council Member Cobos

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to postpone one (1) week the discussion and action of the following executive session item:

J.G.W. Foods Chapter 7, Case No. 03-32427 (551.071)

Representative Escobar was not present for the vote.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to postpone one (1) week the discussion and action of the following executive session item:

James K. Terrell vs. City of El Paso, et. al., Cause No. EP-03-CA-0364-KC (551.071)

Representative Escobar was not present for the vote.

.....  
\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to postpone one (1) week the discussion and action of the following executive session item:

Jacob Telles vs. City of El Paso, et. al., Cause No. EP-03-CA-0528-KC (551.071)

Representative Escobar was not present for the vote.

.....



\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to postpone one (1) week the discussion and action of the following executive session item:

Nancy Hollebeke v. City of El Paso, et. al., Cause No. EP-04-CA-0185-HLH (551.071)

Representative Escobar was not present for the vote.

\*Motion made by Representative Escobar, seconded by Representative Austin and unanimously carried to postpone one (1) week the discussion and action of the following executive session item:

Maria Ramirez v. City of El Paso, Cause No. EP-04-CA-0245-KC (551.071)

Representative Escobar was not present for the vote.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 11:26 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

**21F.** In the Matter of a Court of Inquiry, Cause No. 20040D00188 (551.071)

**21G.** ASARCO Incorporated Air Quality Permit No. 20345; TCEQ Docket No. 2004-0049-AIR. (551.071).

Motion made by Representative Escobar, seconded by Representative Rojas and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council at 11:50 a.m., during which time motions were made as follows:

Motion made by Representative Cushing, seconded by Representative Escobar and unanimously carried to delete the following executive session item:

In the Matter of a Court of Inquiry, Cause No. 20040D00188 (551.071)

Motion made by Representative Escobar, seconded by Representative Cook and carried that that the City Attorney is authorized to enter into such contract or other agreements with Eric Birch of Birch & Becker, L.L.P. to obtain professional legal services in connection with ASARCO Incorporated Air Quality Permit No. 20345; TCEQ Docket No. 2004-0049-AIR.

Motion made by Representative Rojas, seconded by Representative Escobar and unanimously carried to adjourn this meeting at 11:52 a.m.

APPROVED AS TO CONTENT:

  
Richarda Duffy Momsen, City Clerk